

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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TEODOR STROE,

Plaintiff,

- against -

THE CITY OF NEW YORK, et al.,

Defendants.

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MAUSKOPF, United States District Judge.

MEMORANDUM & ORDER

02-CV-1036 (RRM)(LB)

By her February 23, 2009 Report and Recommendation (the "R&R"), Magistrate Judge Lois Bloom recommends that plaintiff Teodor Stroe's action against the City of New York and various individual New York City Police Officers be dismissed for failure to prosecute. See Fed. R. Civ. P. 16(f); and 37(b)(2)(A)(v). This Court, receiving no objection to the R&R and having reviewed the same for legal or factual error and finding none, adopts the R&R in its entirety. See Fed. R. Civ. P. 72(b)(2).

As apparent from the record of the proceedings in this matter, as well as Judge Bloom's R&R, Stroe has a history of repeated refusals to comply with the governing Rules of procedure and with the express Orders of the Magistrate Judge. For example, Judge Bloom has cited no less than five instances where Stroe has failed to appear at court conferences. Moreover, when Stroe has appeared before the Court, he failed to comport himself in a manner suggestive of any intent to proceed with the orderly prosecution of his surviving claims. Despite the fact that his combative in-Court outbursts have resulted in repeated warnings that further failures to comply would result in the dismissal of his case, Stroe has expressed, on the record, his complete indifference to such consequence.

For the above stated reasons, Judge Bloom's R&R is adopted in its entirety and Stroe's remaining claims are dismissed. The Clerk of the Court is hereby directed to close the case.

SO ORDERED.

Dated: Brooklyn, New York
April 16, 2009

s/RRM

ROSLYNN R. MAUSKOPF
United States District Judge